

### **Remarks**

The Applicants note with appreciation the withdrawal of the 35 U.S.C. §112 rejection and various rejections over Higuchi from Paragraphs 2-7 of the prior Official Action.

The Applicants have amended Claims 5 and 7 for clarification purposes. There is no intended change in scope. In particular, the Applicants have deleted “at least one each of” from those claims. The prior language was intended to recite that the polyurethane contains yellow pigment, red pigment and blue pigment. To the extent that the previous language was not clear, the Applicants believe that these amendments that delete the above-mentioned language clarify the fact that the polyurethane contains yellow pigment, red pigment and blue pigment. This can include one or more yellow pigments, one or more red pigments and one or more blue pigments. Entry into the official file is respectfully requested.

Claims 5 and 7 stand rejected under 35 U.S.C. §102 as being anticipated by or, alternatively, 35 U.S.C. §103 as being obvious over Higuchi. The Applicants note with appreciation the Examiner’s detailed comments theoretically applying Higuchi to those claims. The Applicants nonetheless respectfully submit that Higuchi is inapplicable under both of §102 and §103. Detailed reasons are set forth below.

Prior to addressing the specifics of Higuchi, the Applicants invite the Examiner’s attention to the Applicants’ Specification on Page 3 at Lines 7-23. That text discusses the fact that the prior art, to impart a blackish or grayish color, employed carbon black in the polyurethane. However, in such cases where carbon black particles are added to the polyurethane, when light is irradiated onto the resulting material, the carbon black absorbs infrared radiation and accumulates heat. This causes a remarkable decrease in the light fastness of the resulting material.

The Applicants discovered, however, as described on Page 12 beginning at Line 24 and

extending to Page 13 at Line 9 of the Applicants' Specification that when the claimed pigments are mixed together in the polyurethane, the polyurethane having such mixed pigments has a hue that is closer to an achromatic color such as black or gray. This provides an appearance having a high quality impression. Thus, the resulting artificial leather as recited in Claims 5 and 7 has both high quality appearance and excellent light fastness of its coloration.

In sharp contrast, Higuchi is typical of the prior art in many respects wherein carbon black is employed in the polyurethane. This can be seen at Col. 9, Lines 29-31, for example. Therefore, many of the Higuchi embodiments are subject to the same problems typical of the prior art.

However, Higuchi does employ other colors in some instances. In that regard, Example 1 provides red and blue dye to the fibers and carbon black in the polyurethane. This is completely different from the Applicants that include yellow pigment, red pigment and blue pigment in the polyurethane. Higuchi does not come even close to this inasmuch as the red and blue pigments are included in the fibers, not the polyurethane. In any event, there is no inclusion of yellow.

Example 2 includes black coloration in the fibers and employed the polyurethane coating of Example 1. Thus, Example 2 is even further afield and even further inapplicable.

Example 3 applies two blue dyes, a yellow dye, a red dye and an orange dye to the fibers (not the polyurethane). However, the polyurethane contains carbon black typical of the prior art, white, yellow and brown pigment. Again, there is utterly no disclosure concerning red, yellow and blue pigment in the polyurethane.

Examples 4 and 5 are based on Examples 1 and 3, respectively. Example 6, on the other hand, again employs two blue dyes, a yellow dye, a red dye and an orange dye in the fibers. The polyurethane coating includes the typical carbon black of the prior art plus white pigment, yellow pigment and brown pigment. There is thus no disclosure with respect to yellow, blue and red

pigment in the polyurethane. As a consequence, the Applicants respectfully submit that there is no anticipation of the subject matter of Claims 5 and 7.

Similarly, Higuchi in no way renders those claims obvious inasmuch as Higuchi consistently employs the methodology of the well-known prior art of utilizing carbon black in the polyurethane coating. Because of the inclusion of such carbon black in the polyurethane coating, one skilled in the art would have a reasonable expectation that the light fastness of the resulting artificial layer would likely inherently be different from the Applicants' claimed light fastness. Thus, the Applicants respectfully submit that Higuchi leads those skilled in the art in a direction different from the Applicants and, therefore, does not render Claims 5 and 7 as being obvious. Withdrawal of the rejection is respectfully requested.

Claims 6 and 8 stand rejected under 35 U.S.C. §103 over the combination of Pedain with Higuchi. The Applicants again note with appreciation the Examiner's helpful comments theoretically applying both of the primary and secondary references against those claims. The Applicants respectfully submit, however, that the combination of Pedain with Higuchi would still fail to result in the subject matter of those two claims. The Applicants respectfully submit that the disclosure of Pedain does nothing to cure the deficiencies set forth above with respect to Higuchi in the context of Claims 5 and 7. Accordingly, the combination is inapplicable. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire application is now  
in condition for allowance, which is respectfully requested.

Respectfully submitted,



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